

App. No. 09/801,093

Page 5 of 8

Remarks:

Claims 1-14 are pending.

Regarding independent claim 1, Examiner rejects independent claim 1 under 35 U.S.C. 103 (a) as being patentable over Hall et al. (US Pat. No. 6,026,375) in view of Hendrey et al. (US Pat. Appl. Pub. 2002/0107008A1). Applicants respectfully disagree. Examiner states that while "Hall fails to disclose receiving a second signal indicative of a location of the second party, wherein the second signal is received at the central scheduling computer," "Hendrey teaches receiving a second signal indicative of a location of the second party, where in the second signal is received at the central scheduling computer (Para 69-71)." However, there is no motivation to combine Hall and Hendrey, and there significant differences between Hall and Hendrey.

1) While Hall has one mobile party (a mobile customer) and one stationary party (a local facility), Hendrey has a number of mobile units.

2) While Hall provides for scheduling so that an order from the mobile customer is processed by the time the mobile customer arrives at the local facility, Hendrey provides a telecommunication connection between the two mobile units based on location and/or user attribute criteria supplied by a central computer that knows the locations of the mobile units.

Hall does not suggest or provide for movement by the local facility. In fact, Hall's local facility is always stationary. Further, Hendrey does not suggest or provide for automated scheduling.

Therefore, independent claim 1 would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hall and Hendrey, and is patentable over Hall in view of Hendrey.

Regarding dependent claims 2-6, dependent claims 2-6 depend from and include all the limitations of independent claim 1. Therefore, dependent claims 2-6 are patentable over Hall in view of Hendrey.

Regarding independent claim 7, Examiner rejects independent claim 7 under 35 U.S.C. 102 (b) as being disclosed by Hall. Examiner indicates that the step of "transmitting a second

App. No. 09/801,093

Page 6 of 8

signal to a second party when the first location is equal to a first predetermined location" is disclosed by Hall in col. 3 lines 34-40. Applicants respectfully disagree. Hall states in col. lines 34-40:

A method of placing an order with a service provider comprises
transmitting an order to a service provider;
receiving location information from a location determination system;
transmitting the location information to the service provider; and
receiving local facility information identifying a local facility that is able to satisfy
the order.

Hall does not disclose or suggest transmission of a signal based upon a first location being equal to a first predetermined location. The second transmitted signal of Hall, "transmitting the location information to the service provider," is not related to the first predetermined location. Further, Hall is based upon one mobile party and one stationary party while the present invention is based upon two mobile parties. Therefore, independent claim 7 distinguishable from Hall, and is patentable over Hall.

Regarding dependent claims 8-14, dependent claims 8-14 depend from and include all the limitations of independent claim 7. Therefore, dependent claims 8-14 are patentable over Hall.

In view of the discussion above, the claims of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,
Chen, et al.

MOTOROLA, INC.
INTELLECTUAL PROPERTY DEPT. (SF)
600 NORTH U.S. HIGHWAY 45, AN475
LIBERTYVILLE, ILLINOIS 60048

Shigeharu Furukawa 12/01/03
Shigeharu Furukawa December 01, 2003
REG. NO. 50,481
TELEPHONE NO. (847) 523-1987
FACSIMILE NO. (847) 523-2350